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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
11

12 JO ANNE GRAFF,

13 PLAINTIFF,

14 v.

15 LAW OFFICES OF DOUGLAS R. BURGESS,
LLC, a New York limited liability company,
16 DOUGLAS ROBERT BURGESS, individually
and his official capacity, UNITED STATES
17 CREDIT AGENCY, LLC, F/K/A FIRST
AMERICAN INVESTMENT COMPANY, LLC,
18 ET AL,

19 DEFENDANTS.
20

Case No.: C08-01821 JW

**DECLARATION OF JUNE D. COLEMAN IN
SUPPORT OF DEFENDANTS DOUGLAS
MacKINNON AND MARK BOHN'S
MOTION TO DISMISS (RULE 12(b)(2))**

DATE: September 15, 2008
TIME: 9:00 a.m.
CRTRM: 8, 4th Floor
JUDGE: Honorable James Ware

21 I, June D. Coleman declare as follows:

22 1. I am an attorney duly licensed to practice in all courts of the State of California, as well
23 as all the federal courts in California and the Ninth Circuit Court of Appeals. I am a partner with the
24 law firm of Ellis, Coleman, Poirier, LaVoie, & Steinheimer, LLP, attorneys of record for Defendants
25 DOUGLAS MacKINNON AND MARK BOHN, herein. I have personal knowledge of the
26 information set forth herein below, unless noted as based on information and belief, all of which is true
27 and correct of my own personal knowledge, and if called upon to testify, I could and would
28 competently testify thereto.

1 2. I have shared the declarations prepared by Messrs. Bohn and MacKinnon with Mr.
2 Schwinn, plaintiff's counsel, and explained the legal and factual basis for the motion to dismiss based
3 on lack of personal jurisdiction. I also requested that Mr. Schwinn provide me with all information he
4 had that supported the allegations in the Complaint that Messrs. Bohn and MacKinnon were
5 appropriate defendants and were subject to personal jurisdiction in California. Mr. Schwinn refused to
6 provide me with any such information, stating:

7 We have a good faith basis to believe that your clients are involved in
8 these collection operations. However, we are unable share our
9 information with you until after we have had an opportunity to depose
 your clients.

10 I declare under the penalty of perjury under the laws of the state of California that the foregoing
11 is true and correct and that this declaration was executed at Sacramento, California on July 31, 2008.

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13 By /s June D. Coleman
 June D. Coleman
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